

FILED

DEC 29 2016

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIACLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIAUNITED STATES OF AMERICA)
)
v.)
)
MARTIN ESQUIVEL-HERNANDEZ)

Criminal No. 16-277

INFORMATION MEMORANDUM

AND NOW comes the United States of America by Soo C. Song, Acting United States Attorney for the Western District of Pennsylvania, and Paul E. Hull, Assistant U.S. Attorney for said district, and submits this Information Memorandum to the Court:

I. THE INFORMATION

A one-count information has been filed against the above-named defendant for alleged violations for federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1.	Illegal Possession of An Identification Document On or about December 5, 2011	18 U.S.C. § 1028(a)(4)

II. ELEMENTS OF THE OFFENSE**A. As to Count 1:**

In order for the crimes of Illegal Possession of an Identification Document, in violation of 18 U.S.C. § 1028(a)(4), to be established, the government must provide all of the following essential elements beyond a reasonable doubt:

1. The defendant knowingly possessed an identification document, authentication feature, or a false identification document;

2. The defendant did so with the intent to defraud the United States; and
3. The identification document was not issued lawfully for the use of the defendant.

18 U.S.C. § 1028 (a) (4).

III. PENALTIES

A. As to Count 1 - Illegal Possession of an Identification Document (18 U.S.C. § 1028(a)(4))

1. Not more than 1 year imprisonment (18 U.S.C. § 1028(a)(4)).
2. A fine of not more than \$100,000 (18 U.S.C. § 3571(b)(5)).
3. A term of supervised release of not more than one (1) year.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$25.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

Not applicable in this case.

VI. FORFEITURE

Not applicable in this case.

Respectfully submitted,

SOO C. SONG
Acting United States Attorney



PAUL E. HULL
Assistant U.S. Attorney
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